

Message

From: Aviles, Jesse [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9FEDD63547464C589715A846AFAD05EC-AVILES, JESSE]
Sent: 12/17/2018 4:12:37 PM
To: Kiefer, Linda [Kiefer.Linda@epa.gov]; Smidinger, Betsy [Smidinger.Betsy@epa.gov]; Mylott, Richard [Mylott.Richard@epa.gov]; Chergo, Jennifer [Chergo.Jennifer@epa.gov]; Wharton, Steve [Wharton.Steve@epa.gov]; Mutter, Andrew [mutter.andrew@epa.gov]
CC: Stavnes, Sandra [Stavnes.Sandra@epa.gov]
Subject: VB/I-70 Deletion

Hello:

Thanks for managing this while I'm away in my detail. The information below is mostly for Betsy's and Doug's.

OU1 is the residential portion of the Vasquez Boulevard/I-70 site. As part of the activities of the site, 4864 properties were identified within the boundaries of VBI70. Of those, 4490 properties were considered part of the residential cleanup. Property owners of 45 of those properties denied access to sample their properties. The remaining 4445 properties were sampled. Looking at it in percent it means that 91% of the total number of properties in OU1 were sampled; EPA had access to and sampled 99% of the residential properties in OU1. Cleanup was required at 823 properties. Only 10 property owners denied access to cleanup the properties. That means that about 19% of the sampled properties required cleanup. Of the properties needing cleanup a little over 1% denied EPA access. Today 53 properties have notices on their deed about the lack of sampling or cleanup. CDPHE maintains the list and responds to questions from the public.

EPA investigations started by collecting soil samples from the first foot of soil. EPA expected the contaminants to follow wind dispersion from the smelters stacks. EPA found that contaminants decreased sharply with depth and that, based on distribution patterns, not all could be attributed to air dispersion. EPA determined that other means of contaminant distribution were at play, including application of lawn care products. Since contaminants were on surface soil, sampling efforts continued by sampling just the first two inches. Cleanup activities, however, removed the first foot of soil and replaced it with clean material.

I have shared the information above with the CAG. According to the CAG our evaluation is wrong because we could not determine the origin of all the contaminants. The CAG presents contaminants at depth as the source of surface contamination. The CAG says that natural processes bring those contaminants to the surface. Their evaluation does not consider that the data collected does not support their hypothesis.

We have kept the CAG informed about our actions and even gave them classes on Superfund, groundwater and risk assessment. If I remember correctly my first mention about the deletion was last winter when I started working on it. I have shared draft documents with them using OneDrive to give them as much time as possible to review them. The OneDrive folder contains information on the three OUs. Only Chuck Norris commented on the draft RI report that I shared around March. The CCoD gave me access the first week of December to download the removal action draft construction report. I already placed the draft in the shared OneDrive folder for the CAG to review it. These documents are tens or hundreds of MB in size.

The CAG, and specially Ex. 6 Personal Privacy (PP) sends wide ranging emails that read like alarmist clickbait full of falsehoods. We anticipated adverse comments from the CAG for the deletion. That is why we went with the NOID. Since spring, the Denverite ran six articles that are at least partly related to the site. Kevin Beaty is a Denverite reporter that has followed the site from around May. Jennifer has kept him informed about the timing of the NOID.

Let me know if you have any questions.

Jesse